



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**Region 6**

**1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733**

February 29, 2012

Jim Stovall  
Bureau of Land Management  
Carlsbad Field Office  
620 East Greene Street  
Carlsbad, NM 88220-6292

Dear Mr. Stovall:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Final Environmental Impact Statement (FEIS) prepared by the Bureau of Land Management, Carlsbad Field Office, Carlsbad, New Mexico. Intrepid Potash, Inc. (Intrepid) is proposing to extract the potash remaining in inactive underground mine workings by constructing and operating an in-situ solution mine project in Eddy County, New Mexico.

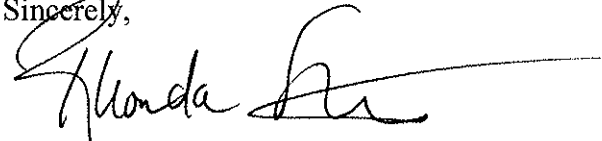
EPA provided comments to the DEIS in a letter dated June 1, 2011. EPA rated the DEIS as "EC-2" i.e., EPA has "Environmental Concerns and Requests Additional Information" due primarily to concerns with air quality, subsidence/collapse, environmental justice and tribal issues, groundwater usage, and cumulative impacts.

EPA believes that BLM has sufficiently and adequately addressed our concerns with air quality, subsidence/collapse, and environmental justice/tribal issues. However, EPA remains concerned about the cumulative impact of combined groundwater usage by the proposed project, the Intercontinental Potash polyhalite mine (IP), the Creamer project, oil and gas development, and residential and commercial water wells. Section 5.3.2 on page 5-6 states that it is unlikely that the IP project combined with the proposed project would cause regional groundwater impacts or decrease discharges to the Pecos River. EPA recommends that the BLM provide data to substantiate that conclusion.

To mitigate the significant volume of groundwater to be used for the proposed project, EPA recommends BLM require Intrepid to provide water developments to compensate for decreased groundwater levels (loss of seeps/springs and decreased discharge to the Pecos River). EPA also recommends requiring Intrepid to further explore and evaluate opportunities to increase water efficiency, reduce water demand, and treat and reuse water to the extent practicable. The Record of Decision (ROD) should include commitments to achieve these measures.

EPA appreciates the opportunity to review the FEIS. If you have any questions or concerns, please contact John MacFarlane of my staff at [macfarlane.john@epa.gov](mailto:macfarlane.john@epa.gov) or 214-665-7491 for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhonda Smith", with a long horizontal flourish extending to the right.

Rhonda Smith  
Chief, Office of Planning  
and Coordination